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| 1 | SENATE BILL NO. 89 |
| 2 | INTRODUCED BY R. LAIBLE |
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| 4 | A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING POLITICAL PARTIES, POLITICAL COMMITTEES, AND |
| 5 | OTHER POLITICAL ORGANIZATIONS TO SUPPORT NONPARTISAN CANDIDATES; AMENDING SECTIONS |
| 6 | 3-10-201 AND 13-10-602, MCA; AND REPEALING SECTION 13-35-231, MCA." |
| 7 | |
| 8 | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: |
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| 10 | **Section 1.** Section 3-10-201, MCA, is amended to read: |
| 11 | **"3-10-201. Election.** (1) Each justice of the peace must be elected by the qualified electors of the |
| 12 | county at the general state election next preceding the expiration of the term of office of ~~his~~ the justice's |
| 13 | predecessor. |
| 14 | (2)  A justice of the peace ~~shall~~ must be nominated and elected on the nonpartisan judicial ballot in the |
| 15 | same manner as are judges of the district court. |
| 16 | (3)  Each judicial office ~~shall~~ must be a separate and independent office for election purposes, ~~and~~ each |
| 17 | office ~~shall~~ must be numbered by the county commissioners, and each candidate for justice of the peace shall |
| 18 | specify the number of the office for which ~~he~~ the candidate seeks to be elected. A candidate may not file for |
| 19 | more than one office. |
| 20 | ~~(4)  Section 13-35-231, prohibiting political party endorsement for judicial officers, shall also apply to~~ |
| 21 | ~~justices of the peace.~~" |
| 22 | |
| 23 | **Section 2.** Section 13-10-602, MCA, is amended to read: |
| 24 | **"13-10-602. Use of party name -- political support of nonpartisan candidates.** (1) ~~Every~~ Each |
| 25 | political party and its regularly nominated candidates, members, and officers have the sole and exclusive right |
| 26 | to the use of the party name. ~~No~~ A candidate for office may not use any word of the name of any other political |
| 27 | party or organization other than that by which ~~he~~ the candidate is nominated. |
| 28 | (2)  An independent or nonpartisan candidate ~~shall~~ may not use any word of the name of any existing |
| 29 | political party or organization in ~~his candidacy~~ the candidate's own campaign material. |
| 30 | (3)  Nothing in this section prohibits a political party, political committee, or other political organization |

1     from supporting a nonpartisan candidate."

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3              NEW SECTION.  **Section 3.  Repealer.** Section 13-35-231, MCA, is repealed.

4                                                              - END -